IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

REBECCA FAYE BRAKE)	
)	
Plaintiff,)	
)	
v.)	Case: 3:09-CV-00271
)	JUDGE HAYNES
METROPOLITAN LIFE)	
INSURANCE COMPANY)	
And BRANDI NICOLE BRAKE)	
)	
Defendants.)	
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ORDER

In accordance with the Memorandum filed herewith, the Plaintiff's motion for judgment on the administrative record (Docket Entry No. 27) is **GRANTED**. The Respondent's motion for judgment on the administrative record (Docket Entry No. 30) is **DENIED**. Plaintiff is **AWARDED** a judgment for a constructive trust of the benefits from her deceased husband's benefit plan. Each party shall bear its own costs.

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED on this the ______ day of June, 2010

WILLIAM J. HAYNES JR. United States District Judge